## UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

#### **UNITED STATES POSTAL SERVICE**

and	Cases 12-CA-244762
NATIONAL ASSOCIATION OF LETTER CARRIERS, BRANCH 818, AFL-CIO	
and	12-CA-248631
NATIONAL ASSOCIATION OF LETTER CARRIERS, BRANCH 1071, AFL-CIO	
and	12-CA-251612
	12-CA-251614
AMERICAN POSTAL WORKERS UNION,	12-CA-251619
LOCAL 172, AFL-CIO	12-CA-251620
	12-CA-251627
	12-CA-251632
	12-CA-251638
	12-CA-251651
	12-CA-251657
	12-CA-251658
	12-CA-251662
	12-CA-251664
	12-CA-251668
	12-CA-251670
	12-CA-251672
	12-CA-251673
	12-CA-251677
	12-CA-251679
	12-CA-251681
	12-CA-251683
	12-CA-251685
	12-CA-251688 12-CA-251689
	12-CA-251669 12-CA-251692
	12-CA-251692 12-CA-251697
	12-CA-251697 12-CA-251704
	12-CA-251704 12-CA-251717
	12-CA-251717 12-CA-251720
	12-CA-251720 12-CA-251721
	12-CA-251727
	12-CA-251740
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12-CA-251762 12-CA-251830 12-CA-251832 12-CA-251834 12-CA-251838 12-CA-251851

and 12-CA-256220

### AMERICAN POSTAL WORKERS UNION, LOCAL 1201, AFL-CIO

#### **DECISION AND ORDER**

#### Statement of the Cases

On August 21, 2020, United States Postal Service (the Respondent or the Postal Service); National Association of Letter Carriers, Branch 818, AFL-CIO (Branch 818); National Association of Letter Carriers, Branch 1071, AFL-CIO (Branch 1071); American Postal Workers Union, Local 172, AFL-CIO (Local 172); American Postal Workers Union, Local 1201, AFL-CIO (Local 1201); and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, subject to the Board's approval, providing for the entry of a consent order by the Board and a consent judgment of any appropriate United States Court of Appeals. The parties waived all further and other proceedings before the Board to which they may be entitled under the National Labor Relations Act and the Board's Rules and Regulations, and the Respondent waived its right to contest the entry of a consent judgment or to receive further notice of the application therefor.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

The Formal Settlement Stipulation is approved and made a part of the record, and the proceeding is transferred to and continued before the Board in Washington, D.C., for entry of a Decision and Order pursuant to the provisions of the Formal Settlement Stipulation.<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> We note that the remedy to which the parties have agreed differs in some respects from previous broad orders that the Board has issued against the Respondent in cases alleging that the Respondent has violated Sec. 8(a)(5) of the Act by failing and refusing to provide relevant information. See, e.g., *United States Postal Service*, 345 NLRB 426 (2005), enfd. 486 F.3d 683 (10th Cir. 2007); *United States Postal Service*, 28-CA-017383 et al., unpublished order issued November 4, 2002, enfd. Case 02-9587 (10th Cir. 2003). These broad orders, as enforced by the United States Courts of Appeals,

Based on the Formal Settlement Stipulation and the entire record, the Board makes the following

#### **Findings of Fact**

#### 1. The Respondent's business

The Postal Service is engaged in the business of providing postal services for the United States of America, and operates various facilities throughout the United States in performing that function, including its facilities at:

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5171 Overseas Highway, Marathon, Florida (Marathon Post Office);
1801 Polk Street, Hollywood, Florida (Hollywood Main Post Office);
10360 SW 186th Street, Miami, Florida (Quail Heights Post Office);
11000 SW 104th Street, Miami, Florida (Snapper Creek Post Office):
150 SE 2nd Ave, #103, Miami, Florida (Metro Postal Store);
14790 SW 88th Street, Miami, Florida (West Dade Post Office);
107 Westward Drive, Miami, Florida (Miami Springs Post Office);
7500 NW 25th Street, Unit 11, Miami, Florida (West Carrier Annex);
18640 NW 2nd Avenue, Miami, Florida (Norland Post Office);
13520 SW 152nd Street, Miami, Florida (Country Lakes Post Office);
8880 SW 8th Street, Miami, Florida (Tamiami Post Office);
3585 NE 207th Street, Miami, Florida (Aventura Post Office);
101 SE 1st Avenue, Hallandale, Florida (Countyline Post Office);
1799 NW 28th Street, Miami, Florida (Allapattah Post Office);
2200 NW 72nd Avenue, Miami, Florida (Milam Dairy Annex);
18070 Collins Avenue, Miami, Florida (Sunny Isles Post Office);
16750 NE 4th Place Avenue, Miami, Florida (Uleta Post Office);
18901 W. Dixie Highway, Miami, Florida (Ojus Post Office);
5600 NW 72nd Avenue, Miami, Florida (Milam Dairy Post Office);
5927 SW 70th Street, Miami, Florida (South Miami Post Office);
75 Miracle Mile, Miami, Florida (Miracle Mile Post Office);
3191 Grand Avenue, Miami, Florida (Coconut Grove Post Office);
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remain in effect, and the Board's approval of this stipulation does not modify these orders in any respect.

Member Emanuel would not approve the parts of the Order that require the Respondent to take action with respect to "other unions that are exclusive collective-bargaining representatives of units of certain of its employees, or their affiliated local unions in its South Florida District," because no violations against other unions are alleged as part of this case.

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16400 West Dixie Highway, Miami, Florida (North Miami Beach Post Office);
14310 SW 8th Street, Miami, Florida (Father Felix Varela Post Office);
951 Crandon Boulevard, Key Biscayne, Florida (Key Biscayne Post Office);
500 NW 2nd Avenue, Miami, Florida (Flagler Post Office);
425 NW 27th Avenue, Miami, Florida (Jose Marti Post Office);
1800 Coral Way, Miami, Florida (Shenandoah Post Office);
251 Valencia Avenue, Coral Gables, Florida (Coral Gables Post Office);
3500 South Dixie Highway, Miami, Florida (Hibiscus Post Office);
22350 Old Dixie Highway, Miami, Florida (Goulds Post Office);
8266 Mills Drive, Space 9, Miami, Florida (Town & Country Post Office);
7501 SW 117th Avenue, Miami, Florida (Sunset Post Office);
9833 E. Hibiscus Street, Miami, Florida (Perrine Post Office);
3801 SW 117th Avenue, Miami, Florida (Olympia Heights Post Office);
11301 South Dixie Highway, Miami, Florida (Pinecrest Post Office);
10500 SW 109th Court, Miami, Florida (Kendall Carrier Annex);
8821 SW 136th Street, Miami, Florida (Kendall Finance Post Office);
1101 Brickell Avenue, Miami, Florida (Brickell Post Office);
5500 NW 142nd Street, Opa-Locka, Florida (Opa-Locka Post Office);
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and other facilities in its South Florida District, which includes all postal zip codes beginning with the digits 330, 331, 332, 333, 334, 340 and 349.

The Board has jurisdiction over the Respondent and this matter by virtue of Section 1209 of the Postal Reorganization Act of 1970 (PRA).

#### 2. The labor organizations involved

National Association of Letter Carriers, AFL-CIO (NALC), Branch 818 and Branch 1071 each are, and at all material times have been, labor organizations within the meaning of Section 2(5) of the Act.

American Postal Workers Union, AFL-CIO (APWU), Local 172 and Local 1201 each are, and at all material times have been, labor organizations within the meaning of Section 2(5) of the Act.

#### ORDER

Based upon the above findings of fact, the Formal Settlement Stipulation, and the entire record, and pursuant to Section 10(c) of the National Labor Relations Act, the National Labor Relations Board orders that:

The Respondent, United States Postal Service, its officers, agents, successors, and assigns, at all of its facilities located in the Respondent's South Florida District, which includes all postal zip codes beginning with the digits 330, 331, 332, 333, 334, 340 and 349, shall

#### 1. Cease and desist from

(a) Failing or refusing to provide, or unreasonably delaying in providing, National Association of Letter Carriers, AFL-CIO (NALC) or its branches, including Branch 818 and Branch 1071, with requested information that is relevant and necessary to the role of NALC as the exclusive collective-bargaining representative of the employees in the following unit:

All employees in the bargaining unit for which NALC has been recognized and certified at the national level – City Letter Carriers, excluding managerial and supervisory personnel, professional employees, employees engaged in personnel work in other than a purely non-confidential capacity, security guards as defined in Public Law 91–375, 1201(2), Postal Inspection Service employees, employees in the supplemental work forces as defined in Article 7 of the collective-bargaining agreement between the Respondent and NALC, rural letter carriers, mail handlers, maintenance employees, Special Delivery Messengers, Motor Vehicle Employees and Postal Clerks.

(b) Failing or refusing to provide, or unreasonably delaying in providing, American Postal Workers Union, AFL-CIO (APWU) or its local unions, including Local 172 and Local 1201, with requested information that is relevant and necessary to the role of APWU as the exclusive collective-bargaining representative of the employees in the following unit:

All employees in the bargaining unit for which APWU has been recognized and certified at the national level: maintenance employees, motor vehicle employees, postal clerks, mail equipment shops employees, material distribution centers employees, and operating services and facilities services employees; excluding managerial and supervisory personnel, professional employees, employees engaged in personnel work in other than a purely non-confidential clerical capacity, security guards as defined in Public Law 91-375, 1201(2), all Postal Inspection Service employees, employees in the supplemental work forces as defined in Article 7 of the collective-bargaining agreement between the Respondent and APWU, rural letter carriers, mail handlers, and letter carriers.

- (c) Failing or refusing to provide, or unreasonably delaying in providing, other unions that are exclusive collective-bargaining representatives of units of certain of its employees, or their affiliated local unions in its South Florida District, with requested information that is relevant and necessary to their roles as such exclusive collective-bargaining representatives.
- (d) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them in Section 7 of the Act.
  - 2. Take the following affirmative actions.

(a) Within 14 days from the date of the Board's Order, provide National Association of Letter Carriers Branch 1071, AFL-CIO (Branch 1071) with the information that it requested on September 6 and September 10, 2019, regarding employees Clive Taylor, Manfredo Ferrer, Eddie Whatley, Demetrius Young, T. Miller, and NALC Unit employees at the Respondent's Hollywood Main Post Office, which information is specified as follows, to the extent that the Respondent has not already provided that information to Branch 1071:

The following information that was requested on September 6, 2019, concerning employees Clive Taylor and Manfredo Ferrer: All PSFM 3972s for all employees at the Hollywood Main Post Office.

The following information that was requested on September 10, 2019, concerning employee Eddie Whatley:

- (i) A copy of all in-station bid postings and CCA Bid Awards at Hollywood for August 2019.
  - (ii) Copies of E. Whatley clock rings for August 15 to August 31, 2019.

The following information that was requested on September 10, 2019, concerning employee Demetrius Young:

- (i) All PSFM 3971 for Demetrius Young for September 9, 2019.
- (ii) Copies of the Supervisor daily work schedule for September 10, 2019.
- (iii) Copies of all PSFM 3996 for September 10, 2019.
- (iv) Actual MSP Scans for route 2012.

The following information that was requested on September 10, 2019, concerning employee T. Miller:

- (i) Pre-D Packet.
- (ii) All documents and materials utilized to issue discipline.
- (iii) All actual MSP scan points for all routes at Hollywood Main for July 24, 2019.

The following information that was requested on September 10, 2019, concerning employees at Hollywood Main Post Office:

- (i) M-41 protocol on 10-minute breaks.
- (ii) Everything reports for all employees at Hollywood Main office for September 10, 2019.
  - (iii) Copies of all 1564's for all routes at Hollywood Main office.
  - (iv) Hollywood Main employee listings.
- (b) Within 14 days from the date of the Board's Order, to the extent that any of the information described above in paragraph 2(a) of this Order does not exist, and the

Respondent has not already so informed Branch 1071, the Respondent will notify Branch 1071 in writing as to the specific requested information that does not exist.

- (c) If the Respondent contends that certain information described above in paragraph 2(a) of this Order was already provided to Branch 1071, it will specify such previously provided information in writing to Branch 1071 and to Region 12 of the Board within 14 days from the date of the Board's Order. Thereafter, if the Respondent is notified by Region 12 that Branch 1071 disputes the Respondent's contention, within 14 days of such notice the Respondent will either provide the disputed information to Branch 1071 or provide Region 12 of the Board with proof that the Respondent previously provided the disputed information to Branch 1071. If the Regional Director of Region 12 determines that the Respondent's proof is inadequate, then within 14 days from the date the Respondent is notified of such determination, the Respondent will provide the disputed information to Branch 1071.
- (d) Within 14 days from the date of the Board's Order, provide American Postal Workers Union, Local 172, AFL-CIO (Local 172) with information that it requested on May 27, 2019, relating to the information on Line H of the Workload Analysis and Summary form (PS-4842) that shows the total number of hours at each facility in connection with maintenance staffing at each of the Respondent's below-listed facilities, to the extent that the Respondent has not already provided that information to Local 172. The information to be provided is based on the menu of items listed below as (i), (ii), (iii)(A) through (iii)(C), and (iv) through (xii), as specified for each of the facilities of the listed following the menu of items:
  - (i) A copy of the TACs report LDC 38 from October 1, 2018 to May 21, 2019, for all custodians as per the MS47 TL5.
  - (ii) A copy of all PS 4776 for all custodians for October 1, 2018 to May 21, 2019, as per the MS MS47 TLS Sect 12.4, by hard copy of PDF.
  - (iii)(A) A copy of the most recent authorized signed 4852 form as per the MS-47 letter dated October 31, 1997.
  - (iii)(B) A copy of the most recent authorized signed 4869 form as per the MS-47 letter dated October 31, 1997.
  - (iii)(C) A copy of the most recent authorized signed 4839 form as per the MS-47 letter dated October 31, 1997.
  - (iv) A copy of last local staffing review as per the MS47.
  - (v) The name of all custodian(s) detailed or assigned to stations.
  - (vi) A copy of the clock rings for the custodian(s) for FY19.

- (vii) A copy of the last 2 housekeeping inspections (Form 4851) for these stations as per the MS47.
- (viii) If no custodians were at this station, then the date the last custodian worked at the station and the reason they left.
- (ix) Copies of any forms used to account and record the route hours completed by all custodians as in accordance with the MS-47 such as form 4776 (or other Documentation/Labor Transaction Report).
- (x) If no custodian was at [the] station, then the name of individual(s) that has been doing the custodial work at this station.
- (xi) Are proper equipment and supplies provided to complete daily assignment in accordance with Article 38, section 7A of the National Contract?
- (xii) What additional duties do custodians have at the station?

Quail Heights Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Snapper Creek Post Office: items (ii), (iii)(B), (iii)(C), and (vii).

Metro Postal Store: items (i), (ii), (iii)(B), (iii)(C), (iv) through (vi), and (viii) through (xii).

West Dade Post Office: items (i), (iii)(B), (iii)(C), (iv) and (vii).

Goulds Post Office: items (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Town & Country Post Office: items (i), (ii), (iii)(B), (C), and (iv) through (xii).

Miami Springs Post Office: items (ii), (iii)(B), (iii)(C), (iv) and (ix).

Sunset Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

West Carrier Annex: items (i), (ii), (iii)(A) through (iii)(C), and (iv) through (xii).

Perrine Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Norland Post Office: items (i), (ii), (iii)(B), (iii)(C), (iv), (v), and (vii) through (xii).

Olympia Heights Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Pinecrest Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

County Lakes Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Tamiami Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Kendall Carrier Annex: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Aventura Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Kendall Finance Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Countyline Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Allapattah Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Milam Dairy Annex: items (i), (ii), (iii)(A) through (iii)(C), and (iv) through (xii).

Uleta Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Ojus Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Milam Dairy Post Office: items (ii), (iii)(B), (iii)(C), and (iv).

South Miami Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Miracle Mile Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Coconut Grove Post Office: items (ii), (iii)(B), (iii)(C), and (iv) through (xii).

North Miami Beach Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Father Felix Varela Post Office: items (i), (ii), (iii)(B), (iii)(C), (iv) through (vi), and (viii) through (xii).

Key Biscayne Post Office: items (ii), (iii)(B), (iii)(C), (iv), (vi), (viii), and (ix).

Flagler Post Office: items (ii), (iii)(B), (iii)(C), (iv) through (vi), and (viii) through (xii).

Brickell Post Office: items (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Sunny Isles Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

Jose Marti Post Office: items (ii), (iii)(B), (iii)(C), (iv), (vi), and (ix).

Shenandoah Post Office: items (ii), (iii)(B), (iii)(C), (iv), (vi) and (ix).

Coral Gables Post Office: items (ii), (iii)(B), (iii)(C), (iv), (vi) and (ix).

Hibiscus Post Office: items (i), (ii), (iii)(B), (iii)(C), and (iv) through (xii).

- (e) Within 14 days from the date of the Board's Order, to the extent that any of the information described above in paragraph 2(d) of this Order does not exist, and the Respondent has not already so informed Local 172, the Respondent will notify Local 172 in writing as to the specific requested information that does not exist.
- (f) If the Respondent contends that certain information described above in paragraph 2(d) of this Order was already provided to Local 172, it will specify such previously provided information in writing to Local 172 and to Region 12 of the Board within 14 days from the date of the Board's Order. Thereafter, if the Respondent is notified by Region 12 that Local 172 disputes the Respondent's contention, within 14 days of such notice the Respondent will either provide the disputed information to Local 172 or provide Region 12 of the Board with proof that the Respondent previously provided the disputed information to Local 172. If the Regional Director of Region 12 determines that the Respondent's proof is inadequate, then within 14 days from the date the Respondent is notified of such determination, the Respondent will provide the disputed information to Local 172.
- (g) Within 14 days from the date of the Board's Order, provide American Postal Workers Union, Local 1201, AFL-CIO (Local 1201) with the below-specified information concerning the Opa-Locka Post Office, to the extent that the Respondent has not already provided that information to Local 1201:

The following information that was requested on or about December 5, 2019, concerning Unit employee Sheri Miller (FTR 02082779): A copy of the form 1017-A associated with her form 3971 dated November 26, 2019 regarding being charged with AWOL.

The following information that was requested on or about January 23, 2020, concerning Unit maintenance craft employees on Tours 1, 2, and 3 who were on the Deemed Desirable list from January 31, 2020 to February 3, 2020: The reasons why each of the listed employees was Deemed Desirable; and any/all Attendance Review that was given to any/all of the listed employees prior to being placed on the Deemed Desirable list.

- (h) Within 14 days from the date of the Board's Order, to the extent that any of the information described above in paragraph 2(g) of this Order does not exist, and the Respondent has not already so informed Local 1201, the Respondent will notify Local 1201 in writing as to the specific requested information that does not exist.
- (i) If the Respondent contends that certain information described above in paragraph 2(g) of this Order was already provided to Local 1201, it will specify such

previously provided information in writing to Local 1201 and to Region 12 of the Board within 14 days from the date of the Board's Order. Thereafter, if the Respondent is notified by Region 12 that Local 1201 disputes the Respondent's contention, within 14 days of such notice the Respondent will either provide the disputed information to Local 1201 or provide Region 12 of the Board with proof that the Respondent previously provided the disputed information to Local 1201. If the Regional Director of Region 12 determines that the Respondent's proof is inadequate, then within 14 days from the date the Respondent is notified of such determination, the Respondent will provide the disputed information to Local 1201.

- (j) After issuance of the Board's Order and within 14 days of service by the Region, post copies of the attached notice marked "Appendix" (the Notice) in all of the Respondent's facilities in its South Florida District, which includes all postal zip codes beginning with the digits 330, 331, 332, 333, 334, 340 and 349. Copies of the Notice, on forms provided by Region 12, after being signed and dated by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. The Respondent will take reasonable steps to ensure that the Notices are not altered, defaced, or covered by any other material.
- (k) Distribute the Notice to Employees electronically, such as by email, posting on an intranet or internet site, and/or other electronic means, if the Respondent customarily communicates by such means with its employees employed at its facilities in its South Florida District.
- (I) Send a copy of any Board Order and Notice to Employees to all of its supervisors and managers at all of the Respondent's facilities located in its South Florida District.
- (m) Waive any contractual deadlines for the filing and pursuit of grievances related to the information requested by Branch 818, Branch 1071, Local 172 and Local 1201, as described in the allegations of the complaints in this matter, for 30 days following the date of the Board's Order herein, or for 30 days after the requested information has been provided to said unions, whichever is later.
- (n) Notify union stewards of Branch 818, Branch 1071, Local 172, Local 1201 and other unions which represent its employees at facilities in its South Florida District, when the manager or supervisor who is designated to receive and/or respond to requests for information at the facility or facilities for which the steward is responsible has changed, and notify the union stewards of the name of the newly designated manager or supervisor.
- (o) Maintain information request logs in which the Respondent will promptly record each information request made to the Respondent orally or in writing by Branch 818, Branch 1071, Local 172, Local 1201 and other unions with which the Respondent has an exclusive collective-bargaining relationship at its facilities in its South Florida

District, which logs shall include a brief description of the information requested, the name of the union agent who made the request, the name of the requesting union, the name of the supervisor, manager, or designee of the Respondent who received the request, the date the request was made, the date that the Respondent's manager or supervisor provided the requested information or other response to the requesting union, and the name of the Respondent's manager or supervisor who provided the requested information to the requesting union.

- (p) Upon request, grant union stewards at the Respondent's facilities in its South Florida District reasonable access to the information request logs.
- (q) Provide annual training to each manager and supervisor at the Respondent's facilities in its South Florida District who is designated to receive and/or respond to union requests for information concerning how to maintain the information request logs, and how to respond to information requests.
- (r) Require that each manager and supervisor described in paragraph 2(q) of the Board's Order complete an acknowledgement form attesting to the fact that he or she has completed the annual training, and maintain a copy of the acknowledgement form in the supervisor's or manager's training and history file.
- (s) Conduct annual audits of the information request logs at the Respondent's facilities in its South Florida District and create an annual written report by the Respondent's labor relations or legal department personnel to ensure that union information requests are being responded to in a timely and appropriate manner, and to ensure that the logs are being properly maintained.
- (t) Within 21 days from the date of the Board's Order, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps the Respondent has taken to comply.

Dated, Washington, D.C., October 20, 2020.

John F. Ring,	Chairman
William J. Emanuel,	Member
Lauren McFerran,	Member
NATIONAL LABOR RE	LATIONS BOARD

#### **Appendix**

# NOTICE TO EMPLOYEES POSTED BY ORDER OF THE NATIONAL LABOR RELATIONS BOARD An Agency of the United States Government

## PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER AND A CONSENT JUDGMENT OF ANY APPROPRIATE UNITED STATES COURT OF APPEALS

#### FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

**WE WILL NOT** fail or refuse to provide, or unreasonably delay in providing, National Association of Letter Carriers, AFL-CIO, or its branch unions, including Branch 818 and Branch 1071, with requested information that is relevant and necessary to the role of NALC as the exclusive collective-bargaining representative of the bargaining unit of City Letter Carriers, which is fully defined in our collective-bargaining agreement with NALC.

**WE WILL NOT** fail or refuse to provide, or unreasonably delay in providing, American Postal Workers Union, AFL-CIO (APWU) or its local unions, including Local 172 and Local 1201, with requested information that is relevant and necessary to the role of APWU as the exclusive collective-bargaining representative of the bargaining unit of maintenance employees, motor vehicle employees, postal clerks, mail equipment shops employees, material distribution centers employees, and operating services and facilities services employees, which is fully defined in our collective-bargaining agreement with APWU.

**WE WILL NOT** fail or refuse to provide, or unreasonably delay in providing, other unions that are exclusive collective-bargaining representatives of units of certain of our employees, or their affiliated local unions in our South Florida District, with requested information that is relevant and necessary to their roles as such exclusive collective-bargaining representatives.

**WE WILL NOT** in any like or related manner interfere with, restrain or coerce employees in the exercise of the rights listed above.

**WE WILL** provide Branch 818, Branch 1071, Local 172, Local 1201 and other affiliates of unions with which we have an exclusive collective-bargaining relationship in our South Florida District, with requested information that is relevant and necessary to the

requesting union's performance of its duties as or on behalf of an exclusive collective-bargaining representative of our employees.

**WE WILL** promptly provide NALC Branch 1071 with the information it requested on September 6, and September 10, 2019, to the extent that we have not already done so.

**WE WILL** promptly provide APWU Local 172 with the information it requested on May 27, 2019, to the extent that we have not already done so.

**WE WILL** promptly provide APWU Local 1201 with the information it requested on December 5, 2019, and January 23, 2020, to the extent that we have not already done so.

**WE WILL** waive any contractual deadlines for the filing and pursuit of grievances related to the information requested by Branch 818, Branch 1071, Local 172 and Local 1201, as described in the Board's Order, for 30 days following the date of the Board's Order, or for 30 days after the requested information has been provided to said unions, whichever is later.

**WE WILL** notify the union stewards of Branch 818, Branch 1071, Local 172, Local 1201, and other unions which represent our employees at facilities in our South Florida District, when the manager or supervisor who is designated to receive and/or respond to union requests for information at the facility or facilities for which the steward is responsible has changed, and notify the union stewards of the name of the newly designated manager or supervisor.

**WE WILL** maintain information request logs in which we will promptly record each information request made to us by Branch 818, Branch 1071, Local 172, Local 1201, and other unions that represent employees at facilities in our South Florida District, and **WE WILL** provide the unions with reasonable access to the logs that pertain to their requests.

**WE WILL** provide annual training to each manager and supervisor at facilities in our South Florida District who is designated to receive and/or respond to union requests for information.

**WE WILL** conduct annual audits of the information request logs at our facilities in our South Florida District to ensure that union information requests are being handled in a timely and appropriate manner, and to ensure that the logs are being properly maintained.

#### **UNITED STATES POSTAL SERVICE**

The Board's decision can be found at <a href="www.nlrb.gov/case/12-CA-244762">www.nlrb.gov/case/12-CA-244762</a> or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street S.E., Washington, D.C. 20570, or by calling 202-273-1940.

